



05-04-04

ATTORNEY DOCKET NO.: 09564/002001  
U.S. PATENT APPLICATION SERIAL NO.: 09/711,002

37125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Minegishi YUKIO *et al.* Art Unit : 3712  
Serial No.: 09/711,002 Examiner : Kurt Fernstrom  
Filed : November 9, 2000 Confirmation No.: 5998  
Title : INSTRUMENT FOR CONTEMPLATION

Commission for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
MAY 10 2004  
TECHNOLOGY CENTER R3700

COMMUNICATION TO EXAMINER

Dear Sir:

Applicant reaffirms its claim of small entity status in connection with this application. Enclosed is a copy of the Verified Statement (Declaration) Claiming Small Entity Status (37 CFR 1.9(f) and 1/27(c)) – Small Business Concern filed with this Small Entity Utility Application on November 9, 2000.

Applicant notes that, at the time of filing its response to the second office action mailed in this case on February 4, 2003, it improperly used an Amendment Transmittal Letter for a Large Entity. However, when Applicant subsequently filed its response to the Final Office Action on July 15, 2003, the proper Amendment Transmittal Letter for a Small Entity was used.

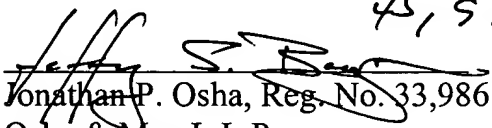
On August 12, 2003, an RCE was filed in this case. At that time, Applicant erroneously paid the fees for a Large Entity. Applicant now reaffirms its original claim of small entity status in connection with this application.

No petition is believed necessary. If this belief is incorrect, or if other issues

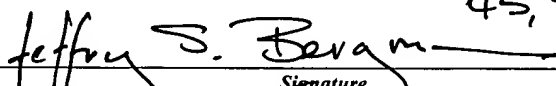
arise, please do not hesitate to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09564.002001).

Respectfully submitted,

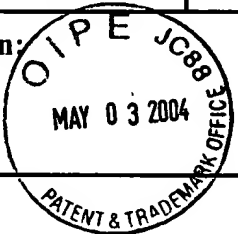
Date: 5/3/04

 45,925  
Jonathan P. Osha, Reg. No. 33,986  
Osha & May L.L.P.  
1221 McKinney, Suite 2800  
Houston, TX 77010  
Telephone: (713) 228-8600  
Facsimile: (713) 228-8778

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<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>				Docket No. <b>09564.002001</b>	
Applicant(s): <b>Minegishi YUKIO et al.</b>					
Serial No. <b>09/711,002</b>	<b>MAY 13 2004</b> PATENT & TRADEMARK OFFICE	Filing Date <b>November 9, 2000</b>	Examiner <b>Kurt Fernstrom</b>	Group Art Unit <b>3712</b>	
Invention: <b>INSTRUMENT FOR CONTEMPLATION</b>					
<u><b>TO THE COMMISSIONER FOR PATENTS:</b></u>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.					
<input type="checkbox"/> A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	20 -	20 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	2 -	4 =	0 x	\$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____					
<input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>50-0591</b>					
<input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.					
<input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.					
Signature  <b>Jonathan P. Osha, Reg. No. 33,986</b> <b>OSHA &amp; MAY L.L.P.</b> <b>1221 McKinney St., Suite 2800</b> <b>Houston, TX 77010</b>  Tel: (713) 228-8600 Fax: (713) 228-8778			Dated: <b>May 3, 2004</b>  <div style="border: 1px solid black; padding: 5px;">         I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.       </div>		
CC:			<div style="border: 1px solid black; padding: 5px;">         Signature of Person Mailing Correspondence           Typed or Printed Name of Person Mailing Correspondence       </div>		

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> <b>Applicant(s):</b> Minegishi YUKIO et al.			<b>Docket No.</b> 09564.002001
<b>Serial No.</b> 09/711,002	<b>Filing Date</b> November 9, 2000	<b>Examiner</b> Kurt Fernstrom	<b>Group Art Unit</b> 3712

**Invention:**  **INSTRUMENT FOR CONTEMPLATION**

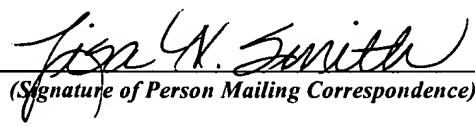
I hereby certify that this Change of Firm Name and Associate Power of Attorney  
*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service  
 under 37 CFR 1.10 in an envelope addressed to:

Mail Stop: Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

on May 3, 2004  
*(Date)*

Lisa H. Smith  
*(Typed or Printed Name of Person Mailing Correspondence)*

  
*(Signature of Person Mailing Correspondence)*

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**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
09564.002001

In Re Application Of: Minegishi YUKIO et al.

Serial No.  
09/711,002

Filing Date  
November 9, 2000

Examiner  
Kurt Fernstrom

Group Art Unit  
3712

Title: INSTRUMENT FOR CONTEMPLATION

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Change of Firm Name and Associate Power of Attorney (1 pg.)

Communication to Examiner (2 pgs) with copy of Small Entity Declaration filed November 9, 2000 (2 pgs)

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

50-0591

45,925

  
Signature

Jonathan P. Osha, Reg. No. 33,986  
OSHA & MAY L.L.P.  
1221 McKinney St., Suite 2800  
Houston, TX 77010

Tel: (713) 228-8600  
Fax: (713) 228-8778

Dated: 5/3/04

I certify that this document and fee is being deposited  
on \_\_\_\_\_ with the U.S. Postal Service as  
first class mail under 37 C.F.R. 1.8 and is addressed to the  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA  
22313-1450.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC: